IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 268 OF 2004

MRS. MERLIN D'COSTA AND 2 ORS., ...Petitioners

Versus

FR.ASSUNCAO DE SILVA,NAVELIM-GOA. ....Respondent

Shri Jose Filipe Melo,

Coram:- V.C. DAGA, J.

Date:- 24th August, 2006

P.C.

Heard learned Counsel for the petitioner. None for the respondents inspite of service. Perused petition.

2. This petition is directed against the order dated 7th June, 2006 passed by the Civil Judge, SD, Margao, refusing to grant adjournment.

3. This Court vide order dated 22nd July 2004 stayed the impugned order and permitted the petitioner to proceed with the suit. I am told by the learned Counsel for the petitioner that evidence is being recorded by the trial Court and the suit is likely to be disposed of shortly. In this view of the matter, impugned order does not survive . The same is liable to be quashed and set a side.

4. In the result, ipugned order is set aside. Petition is allowed. Rule is made absolute with no order as to costs.

V.C. DAGA, J.

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